

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

IRENA GALINDO,)
Plaintiff,)
v.)
KIOLO KIJAKAZI, Acting Commissioner) Civil Action No. 1:20-cv-1262 (RDA/TCB)
of the Social Security Administration,¹)
Defendant.)

ORDER

This matter comes before the Court upon the Report and Recommendation (“Recommendation”) issued by Magistrate Judge Theresa Buchanan on July 20, 2021. Dkt. 18. In this Social Security Administration appeal, Judge Buchanan recommends that the Court grant the parties’ Consent Motion to Remand and remand this matter back to the Social Security Administration, deny as moot Plaintiff Irene Galindo’s (“Plaintiff”) Motion for Summary Judgment, dismiss this matter, and direct the Clerk of the Court to enter final judgment under Federal Rule of Civil Procedure 58. Pursuant to Federal Rule of Civil Procedure 72(b)(2), the deadline for submitting objections to Judge Buchanan’s Recommendation was August 3, 2021. To date, no objections have been filed.

¹ Plaintiff initially commenced this action against the former Commissioner of Social Security, Andrew M. Saul. Pursuant to Federal Rule of Civil Procedure 25(d), the Court automatically substitutes Acting Commissioner Kijakazi as the proper named Defendant.

After reviewing the record and Judge Buchanan's Recommendation, and finding no clear error,² the Court hereby APPROVES and ADOPTS the Recommendation. Dkt. 18. Accordingly, the parties' Consent Motion to Remand (Dkt. 17) is GRANTED; and

IT IS FURTHER ORDERED that Plaintiff's Motion for Summary Judgment (Dkt. 14) is DENIED as MOOT; and

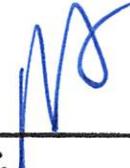
IT IS FURTHER ORDERED that this matter is dismissed.

The Clerk is directed to enter judgment in this matter pursuant to Federal Rule of Civil Procedure 58, forward copies of this Order to counsel of record, and close this civil action.

It is SO ORDERED.

Alexandria, Virginia
August 13, 2021

/s/
Rossie D. Alston, Jr.
United States District Judge



² See *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (holding that in the absence of any objections to a Magistrate Judge's Recommendation, the Court "need not conduct a *de novo* review, but instead must 'only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation'").